

Public School County - LEA Code __ - _ _ _ _

**AFFIRMATION OF CONSULTATION
WITH NONPUBLIC SCHOOL OFFICIALS**

Sections 1117 and 8501 of the *Elementary and Secondary Education Act (ESEA)* as amended by the *Every Student Succeeds Act (ESSA)* require that *timely* and *meaningful* consultation occur among the local education agency (LEA) and nonpublic school officials **prior** to any decision that affects the opportunities of eligible nonpublic school children, teachers, and other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under these sections.

The following topics must be discussed during the ongoing consultation process:

- How the needs of eligible nonpublic school children, teachers or other educational personnel will be identified;
- What services the LEA will offer to eligible resident nonpublic school children, their families, their teachers and other educational personnel;
- How, when, where, and by whom the services will be provided;
- How services will be assessed and how the assessment will be used to improve services;
- The size and scope of the equitable services to be provided and the amount of funds available for those services;
- How the LEA will notify the nonpublic school officials of final funding amounts when available.
- How the amount of funds available for equitable services have been determined
- How the method or sources of data that the LEA will use to determine the number of nonpublic school children from low-income families residing in participating public school attendance areas (Title I only);
- Whether the LEA responsible for providing equitable services will provide those services directly or through a separate third party contractor
- Whether to provide equitable services to eligible nonpublic students by creating a pool or pools of funds with all of the funds allocated under programs covered under section 8501 (b) or (2) on a school-by-school basis based on each the proportionate share of funds available to provide services in each school;
- How the LEA will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the nonpublic school officials on the provision of contract services through potential third-party providers;
- If the nonpublic school officials believe that timely and meaningful consultation has not occurred or that the program designed is not equitable with respect to eligible private school children the nonpublic school will provide the LEA these reasons in writing with a copy to the State Nonpublic Ombudsman;
- If the LEA disagrees with the views of the nonpublic school officials on the provisions of services through a contract, the LEA will provide the nonpublic schools the reasons **in writing** why the LEA chooses not to use a contractor;

Check the box(es) listed below indicating the Title(s) for which consultation occurred:

- | | |
|---|--|
| <input type="checkbox"/> Title I - Part A | <input type="checkbox"/> Title III – Immigrant |
| <input type="checkbox"/> Title II – Part A | <input type="checkbox"/> Title IV – Part A |
| <input type="checkbox"/> Title III – Part A | |

We agree that timely and meaningful consultation occurred before the LEA made any decision that affected the participation of eligible resident nonpublic school children, their families, their teachers, or other educational personnel in the *ESEA- ESSA* programs.

Signature of LEA Official

Date

Signature of Nonpublic School Official Date

Name of LEA (Print)

Name of Nonpublic School (Print)

Each LEA shall maintain in the agency's records, and provide to the SEA upon request, a written affirmation signed by officials of each participating private school that meaningful consultation required has occurred.